

Summary of Changes

The changes in the guidelines reflect the changes in the legislation, Act 21 of 2003. These changes include:

1. Compliance with the Campus Sex Crimes Prevention Act. Campus security must have access to information about sex offenders on campus.
2. Changes in the list of Target Offenses to comply with changes in legislation that added or affected code citations or definitions of certain offenses.
3. Separate legislation governing the registration of juveniles was submitted by the Administrative Office of the Courts (Act 1265 of 2003). Many references to juveniles were removed from the guidelines and a separate attachment for those managing juveniles was provided.
4. Adds a representative from juvenile justice or treatment.
5. Money from fines established by previous legislation is to be divided between the Arkansas Department of Correction and the Arkansas Crime Information Center. Additional funds will be used to reduce the backlog of assessments.
6. Allows Sexually Violent Predators, offenders not in compliance with registration, and those risk levels determined by the Sex Offender Assessment Committee to be made public through the media.
7. Previous legislation, particularly that establishing the Sex Offender Assessment Committee was located in a separate section (§12-12-1301 thru 1303 which was repealed) was combined to make the information easier to access.
8. Protection of 5th amendment rights of offenders was established through a grant of use immunity, while allowing the Sex Offender Assessment Committee to obtain information needed to complete a risk assessment.
9. Obtaining information brought into compliance with HIPPA and similar federal regulations.
10. Meeting of the Sex Offender Assessment Committee opened to the public except when individual cases are being discussed.

11. An alternative procedure for determining whether an offender is a sexually violent predator is established by allowing the classification to be done by vote of the committee, subject to judicial review if the offender requests it.
12. Judicial review is provided for all risk levels.
13. Requires an offender requesting reassessment to pay for his/her polygraph.